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Testimony

SB 159 - Baltimore City Community College – Procurement Authority

Our union has serious concerns with this legislation. If the committee feels the need to pass this bill, we urge you to amend it to provide very basic job protections. Here is some background and our suggestions.

Procurement Issues

A recent Audit of Baltimore City Community College (November 14, 2017) showed some very big problems with procurement. Specifically, there appeared to be attempts to circumvent the State Procurement rules by dividing procurement into small amounts to avoid oversight. Importantly, when the issue was brought to the attention of the BCCC Administration, the action was not referred to the Attorney General for investigation. These procurements involved \$420,000 in total.

Personnel Issues

AFSCME is the collective bargaining representative for the employees at BCCC. We have found the Administration in violation of the collective bargaining law and filed two separate Unfair Labor Practices as a result. Not only have they refused to negotiate over wages, they have unilaterally changed work schedules which have been in effect for years without first providing the union the opportunity to provide feedback and input. They have continued to flaunt the collective bargaining law and have shown no sign of being willing to work with AFSCME as the employees' representative.

SB 159

As presented, HB 207 removes BCCC from critical oversight by the Board of Public Works and also removes BCCC from the responsibility of abiding by the Prevailing Wage law and the Living Wage Law. In addition, by changing the threshold of the types of service contracts that come before the Board of Public Works, the opportunity for out-sourcing is significantly increased.

We suggest that, at minimum, this legislation be amended to do several things. First, prevailing wage and living wage are both priorities rightly adopted by the General Assembly. They should be restored. This would mean amending Section 16-505.3 on page 2. Secondly, procurement of "services" should not be allowed at the different threshold. This would mean deleting "services" from line 15 on page 6.

Overall, the increased number of exemptions from the Procurement law had already led to increased fragmentation and has meant less oversight of this important process in state government. For this reason alone, this legislation is of questionable value. However, if the committee sees a need for this bill we ask, at minimum that it be amended to provide basic labor protections.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
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